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FILED

March 15, 2006

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY
DEPARTMENT OF LAW &
PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE LICENSE OF

MARK G. GREENBAUM, M.D.
License No. MA68856

:

Administrative Action

TO PRACTICE MEDICINE AND SURGERY
IN THE STATE OF NEW JERSEY

:

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Medical Examiners upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent, Mark G. Greenbaum, M.D., is the holder of License No. MA68856 and was licensed to practice medicine and surgery in the State of New Jersey from 1999 until 2001 after which time Respondent permitted that license to lapse.

2. On or about March 6, 2002, in a Plea Allocution Proceeding in the United States District Court, Southern District of New York, Respondent pled guilty to "Conspiracy to Commit Health

CERTIFIED TRUE COPY

Care Fraud, Mail Fraud, and Making False Statements Relating to Health Care Matters" and "Conspiracy to Commit Mail Fraud," both Class D Felonies in violation of 18 USC 371. Under the terms of the Plea Allocution and underlying Plea Agreement, Respondent agreed to forfeit to the United States pursuant to 18 USC 982 approximately \$1.3 million traceable to the commission of the offenses. On or about October 16, 2002, the Court filed a "Final Order of Forfeiture" that ordered Respondent to forfeit the approximately \$1.3 million to the United States. On or about February 9, 2005, the Court filed a "Judgement in a Criminal Case" that accepted the aforementioned guilty pleas, convicted Respondent, and sentenced Respondent to three (3) years probations, eighty (80) hours of community services, and a \$200.00 assessment.

3. On or about May 26, 2005, the State of New York Department of Health, State Board for Professional Medical Conduct ("New York Board") issued a Commissioner's Order and Notice of Hearing against Respondent's license to practice medicine in New York. Pursuant to the Order, the Respondent "shall not practice medicine in the State of New York or in any other jurisdiction where that practice is dependent on a valid New York State license to practice medicine.'" The New York Board action was based on Respondent's violation of New York Education Law 56530 (9)(a)(ii) by having been convicted of committing an act constituting a crime under federal law.

CONCLUSION OF LAW

1. The above criminal action taken by the United States against Respondent provides grounds to take disciplinary action against Respondent's license to practice medicine and surgery in New Jersey pursuant to N.J.S.A. 45:1-21(f), in that, Respondent has engaged in acts constituting a crime or offense involving moral turpitude or relating adversely to the activity regulated by the Board.

2. The above disciplinary action taken by the sister state of New York provides grounds to take disciplinary action against Respondent's license to practice medicine and surgery in New Jersey pursuant to N.J.S.A. 45:1-21(g), in that, Respondent's license to practice medicine has been suspended by another State.

3. Respondent's failure to submit his biennial renewal in 2001 resulting in a lapsed license status provides grounds to automatically suspend Respondent's license to practice medicine and surgery in the State of New Jersey pursuant to N.J.S.A. 45:1-7.1(b).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending Respondent's license to practice medicine and surgery in the State of New Jersey was entered on September 21, 2005 and a copy was forwarded to Respondent's last known address by means of both regular and certified mail. The

Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Although the record reflects that the Provisional Order was served upon Respondent, no response has been received to date. Accordingly the Board considered the matter, determined that further proceedings were not necessary and the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 15th day of Mar, 2006,
ORDERED AND AGREED THAT:

1. Respondent's license to practice medicine and surgery in the State of New Jersey shall be and is hereby suspended.

2. Prior to resuming active practice in New Jersey, Respondent shall be required to appear before the Board, or a committee thereof, to demonstrate fitness to resume practice, to show that Respondent has satisfied all requirements of any New York disposition and that he is reinstated to the practice of medicine in that State. Respondent shall also demonstrate that he has satisfied the terms of any criminal disposition. Any practice in

this State prior to reinstatement shall constitute grounds for the charge of unlicensed practice. In addition, the Board reserves the right to place restrictions on Respondent's practice should Respondent's license be reinstated.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

A handwritten signature in cursive script that reads "Cindy M. Paul, MD, MPH".

By:

Sindy Paul, M.D.
Board President